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8 Attorneys for Plaintiffs

9 IN THE UNITED STATES DISTRICT COURT

10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 SERVICE EMPLOYEES INTERNATIONAL
12 UNION NATIONAL INDUSTRY PENSION
13 FUND; STEPHEN ABRECHT, Trustee;
14 RODERICK S. BASHIR, Trustee; KEVIN J.
15 DOYLE, Trustee; DAVID A. STILWELL,
16 Trustee; STEVEN W. FORD, Trustee; LARRY
17 T. SMITH, Trustee; FRANK A. MAXSON,
18 Trustee; EDWARD MANKO, Trustee; JOHN J.
19 SHERIDAN, Trustee; and MYRIAM
20 ESCAMILLA, Trustee,

Plaintiffs,

21 vs.

22 U.S. METRO GROUP, INC., a California
23 corporation,

Defendant.

24 CASE NO.: CV 11-05711 MEJ

25 **AMENDED**

26 **STIPULATION FOR CONTINUANCE
27 OF CASE MANAGEMENT
CONFERENCE AND [PROPOSED]
ORDER**

28 Date: Thursday, October 4, 2012

Time: 10:00 a.m.

Judge: Chief Magistrate Judge
Maria-Elena James
Courtroom B. 15th Floor
450 Golden Gate Ave.
San Francisco, CA

29 IT IS HEREBY STIPULATED by and between the parties hereto as follows:

30 1. The Complaint in this matter was filed on November 29, 2011, for Defendant's
31 failure to pay employee pension contributions owing to Plaintiff Service Employees
32 International Union National Industry Pension Fund. (Dkt. No. 1).

33 2. On February 15, 2012, Defendant U.S. Metro Group, Inc. executed a Waiver of the
34 Service of Summons. On February 23, 2012, the executed Waiver of Service of
35 Summons was filed with the Court. (Dkt. No. 4). Pursuant to the filed Waiver of
36 Service of Summons, Defendant's response to the Complaint was due by April 16,
37 2012.

1 3. On March 5, 2012, the Plaintiffs filed a Request for Continuance of Case
2 Management Conference to allow the parties to settle the matter (Dkt. No. 7).

3 4. On March 6, 2012, the Court ordered the initial Case Management Conference
4 continued for 60 days to May 24, 2012. (Dkt No. 9).

5 5. On March 6, 2012, the Defendant filed its Answer to the Complaint. (Dkt. No. 11).

6 6. On April 30, 2012, the parties filed a Stipulation to ADR, selecting the mediation
7 process, to occur within 90 days of the Court's order. (Dkt. No. 15).

8 7. On April 30, 2012, the Court entered its Order for Mediation to occur within 90 days
9 (by July 30, 2012). (Dkt No. 16).

10 8. On May 11, 2011, the Plaintiffs filed a Stipulation for Continuance of the Case
11 Management Conference to allow the parties to allow Plaintiffs to complete an audit
12 of Defendant's payroll records for the period of the contribution delinquencies, from
13 2005 through the present. (Dkt. No. 17).

14 9. On May 11, 2012, the Court ordered the initial Case Management Conference
15 continued to August 2, 2012. (Dkt. No. 18).

16 10. On May 22, 2012, the ADR Clerk notified the parties that R. Bradford Huss had
17 been appointed Mediator. (Dkt. No. 19).

18 11. On June 25, 2012, by agreement with the Mediator, the Plaintiffs filed a Motion to
19 Extend the Mediation Deadline. (Dkt. No. 20).

20 12. On June 25, 2012, the Court granted the Motion to Extend the Mediation Deadline
21 to September 27, 2012. (Dkt. No. 21).

22 13. On June 26, 2012, the parties were notified that Mediation had been set for August
23 21, 2012.

24 14. On September 21, 2012, the parties requested that the court Extend the
25 Mediation Deadline until November 30, 2012.

26 15. On September 24, 2012, the court granted the motion to Extend the
27 Mediation Deadline to November 30, 2012.

1 The parties therefore respectfully request that, in order to minimize costs and fees in this
2 action, to allow settlement of this matter, and in the interest of judicial economy, the initial Case
3 Management Conference be continued for a period of at least sixty (60) days.

4 Dated: September 24, 2012

SALTZMAN & JOHNSON LAW CORPORATION

5 By: _____/S/

6 Kimberly A. Hancock
7 Attorneys for Plaintiffs

8 Dated September 24, 2012

LAW OFFICES OF A. J. NORTON

9 By: _____/S/

10 Aura J. Norton, III
11 Attorneys for Defendant

12 **AMENDED ORDER**

13 IT IS SO ORDERED.

14 Based on the foregoing, and for GOOD CAUSE appearing, the Case Management
15 Conference currently set for Thursday, October 4, 2012 at 10:00 a.m. is hereby continued to
16 December 6, 2012 at 10:00 a.m. , Courtroom B.

17 Date: October 1, 2012



18 _____
19 The Honorable Maria-Elena James
20 Chief Magistrate Judge
21 United States District Court
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DECLARATION OF KIMBERLY A. HANCOCK

Pursuant to ECF General Order 45, I, Kimberly a. Hancock, declare as follows:

3 1. The signatory listed above, Aura J. Norton, III, of the Law Offices of A. J. Norton,
4 is the attorney of record for defendants;

5 2. Concurrent with the e-filing of the within Stipulation for Continuance of Case
6 Management Conference and [Proposed] Order, authority was obtained from Aura J. Norton, III in
7 lieu of his signature on the Statement;

8 3. The Law Offices of Saltzman & Johnson maintains a record to support this
9 concurrence for subsequent production for the court if so ordered for inspection upon request by a
10 party until one year after final resolution of the within action, including appeal, if any.

11 I declare under penalty of perjury that the foregoing is true and correct and that this
12 declaration was signed this 24th day of September, 2012, in San Francisco, California.

_____/S/_____